

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested. After entry of the foregoing amendment, Claims 1-3, 5-6, 8-16, 19-31, 33-40, and 42-43 remain pending in the present application. No new matter has been added.¹

By way of summary, the Office Action presented the following issues: Claims 1-2, 8-16, 19-27, and 42 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,549,756 to Engstrom (hereinafter “Engstrom”) in view of U.S. Patent No. 4,625,732 to Kása et al. (hereinafter “Kása”); Claim 43 was rejected under 35 U.S.C. § 103(a) as obvious over Engstrom in view of Kása and U.S. Patent Application Publ’n No. 2003/0208113 to Mault et al. (hereinafter “Mault”); and Claims 3, 5-6, 28-31, and 33-40 were rejected under 35 U.S.C. § 103(a) as obvious over Engstrom in view of Kása and U.S. Patent No. 5,990,866 to Yollin (hereinafter “Yollin”).

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicants and Applicants’ representative wish to thank Supervisory Examiner Johnson and Examiner Rajan for the courtesy of the personal interview granted on November 5, 2010. During the interview, amendments clarifying the claims over the applied references were discussed. Claim amendments differing from those presented during the interview are included herein.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-2, 8-16, 19-27, and 42 were rejected under 35 U.S.C. § 103(a) as obvious over Engstrom in view of Kása. In light of the several grounds of rejection on the merits,

¹ The amendments to independent Claims 1, 20, and 26 find support at least in Figs. 10A and 10B and in their accompanying text in the specification.

independent Claims 1, 20, and 26 have been amended to clarify the claimed inventions and to thereby more clearly patentably define over the applied references.

Amended Claim 1 is directed to an input device including, in part, “bioindex detecting means . . . located at a rear face opposite to a front face . . . including a display screen, the rear face including a finger holding cover projecting from the rear face . . . , the finger holding cover covering the bioindex detecting means.” Engstrom and Kása do not disclose or suggest those features.

Engstrom concerns a wireless mobile phone including a display screen 108.² In the Engstrom mobile phone, “sensors 114aa-114ae and 114ba-114be are distributively disposed along the two side edges of wireless mobile phone 100.”³

The Office Action acknowledged, “Engstrom fails to disclose a pulse wave sensor . . . disposed on the rear facing portion of the personal digital assistant.”⁴

Engstrom does not disclose or suggest “bioindex detecting means . . . located at a rear face opposite to a front face . . . including a display screen,” as recited in amended Claim 1.

In addition, Engstrom is silent regarding the sensors being covered by a finger holding cover. Engstrom is devoid of a description of “the rear face including a finger holding cover projecting from the rear face . . . , the finger holding cover covering the bioindex detecting means,” as recited in amended Claim 1.

Kása describes an apparatus in which a zone 28 is provided on a front face of a case 10.⁵ The Kása zone 28 comprises four identical display segments.⁶ According to Kása, “In

² Engstrom, col. 2, ll. 58-64.

³ Id., col. 3, ll. 11-13.

⁴ Office Action at 3.

⁵ Kása, col. 4, ll. 50-52.

⁶ Id., ll. 54-56.

one side wall of the case 10 recesses are made for accomodating [sic] the fingers”⁷

Further to Kása, “A pulse sensor 20 is arranged in one of the recesses”⁸

That is, Kása merely describes a pulse sensor arranged in a side wall of an apparatus. Kása does not disclose or suggest “bioindex detecting means . . . located at a rear face opposite to a front face . . . including a display screen,” as recited in amended Claim 1.

In addition, Kása describes a mere recess. Kása contains no disclosure or suggestion of “the rear face including a finger holding cover projecting from the rear face . . . , the finger holding cover covering the bioindex detecting means,” as recited in amended Claim 1.

Thus, Engstrom and Kása, taken alone or in combination, fail to disclose or suggest “bioindex detecting means . . . located at a rear face opposite to a front face . . . including a display screen, the rear face including a finger holding cover projecting from the rear face . . . , the finger holding cover covering the bioindex detecting means,” as advantageously recited in amended Claim 1.

For at least the foregoing reasons, it is submitted Claim 1 (and all associated dependent claims) patentably distinguishes over any proper combination of Engstrom and Kása.

For at least analogous reasons, it is submitted independent Claims 20 and 26 (and all associated dependent claims) patentably distinguish over any proper combination of Engstrom and Kása.

It is additionally submitted Mault and Yollin fail to remedy the above-noted deficiencies in Engstrom and Kása. Applicants submit the rejections of dependent Claims 3, 5-6, 28-31, 33-40, and 43 are moot.

Further, during the interview, Supervisory Examiner Johnson requested an explanation of Applicants’ advancement. Attention is therefore directed to the originally

⁷ Id., ll. 43-44.

⁸ Id., l. 47.

filed specification, which explains, “[I]n order to continuously measure stable pulse waves, it is necessary to grasp the mobile telephone in the state where the positional relationship of the finger tip (nail side), the light emitting portion, the finger tip (midsection side) and the light receiving portion is stable to some degree.”⁹ Thus,

As shown in FIG. 11, if user grasps mobile telephone including pulse wave sensor 80 of such a structure by [a] popular method, there results the state where . . . the forefinger is inserted into the finger chip insertion portion 82 of the pulse wave sensor portion 80 without disagreement of feeling. Accordingly, for a time period during which user is using the mobile telephone 7, it is possible to perform stable measurement of pulse wave.¹⁰

CONCLUSION

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present application is patentably distinguished over the applied references. The application is therefore in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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⁹ Spec. at 20.

¹⁰ Id. at 21-22.